

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- x

In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88  
ECF Case

----- x

**This document relates to the following case:**

*City of New York et al. v. Amerada Hess Corp., et al.*  
Case No. 04 Civ. 3417

----- x

**DECLARATION OF NICHOLAS G. CAMPINS IN OPPOSITION TO EXXON  
MOBIL CORPORATION'S MOTION IN LIMINE TO PRECLUDE THE  
TESTIMONY OF MR. BURKE IN PHASE IV**

Nicholas G. Campins, an attorney duly admitted *pro hac vice* to appear in this case, hereby declares under penalty of perjury:

1. I am an attorney with the law firm of Sher Leff LLP, counsel for Plaintiff the City of New York ("the City") in the above-captioned matter. I submit this Declaration in support of Plaintiff City of New York's Opposition to Exxon Mobil Corporation's Motion *In Limine* to Preclude the Testimony of Mr. Burke in Phase IV (the "Opposition"). This declaration authenticates the exhibits attached hereto and relied on in the City's Opposition. In accordance with the Court's Individual Rules and Procedures, the exhibits have been excerpted to include only the relevant material. Copies of each of the exhibits appended hereto were made at my direction on or around October 14, 2009.

2. Attached as Exhibit 1 is a true and correct copy of selected pages from the October 10, 2009 Deposition of Bruce F. Burke.

3. Attached as Exhibit 2 is a true and correct copy of selected pages from the October

10, 2009 Deposition of Bruce F. Burke.

4. Attached as Exhibit 3 is a true and correct copy of selected pages from the October 10, 2009 Deposition of Bruce F. Burke.

5. Attached as Exhibit 4 is a true and correct copy of selected pages from the October 10, 2009 Deposition of Bruce F. Burke.

6. Attached as Exhibit 5 is a true and correct copy of selected pages from the October 10, 2009 Deposition of Bruce F. Burke.

7. Attached as Exhibit 6 is a true and correct copy of selected pages from the October 10, 2009 Deposition of Bruce F. Burke.

8. Attached as Exhibit 7 is a true and correct copy of Plaintiffs' exhibit 5587.

9. Attached as Exhibit 8 is a true and correct copy of selected pages from Plaintiffs' exhibit 5588.

10. Attached as Exhibit 9 is a true and correct copy of selected pages from Plaintiffs' exhibit 5562.

11. Attached as Exhibit 10 is a true and correct copy of an October 09, 2009 email from Ms. Amron to Counsel for ExxonMobil attaching a proposed stipulation.

On this 14th day of October 2009, I hereby declare under penalty of perjury under the laws of the United States that the foregoing statements are true and correct.

Dated: San Francisco, CA  
October 14, 2009

/s/ NICHOLAS G. CAMPINS  
NICHOLAS G. CAMPINS (*pro hac vice*)  
SHER LEFF LLP  
450 Mission Street, Suite 400  
San Francisco, CA 94105  
(415) 348-8300

*Attorney for Plaintiffs*